



U.S. Department
of Transportation

Federal **Aviation**
Administration

ADVISORY CIRCULAR

**Subject: Airspace Utilization Considerations in
the Proposed Construction, Alteration,
Activation and Deactivation of Airports**

Date: 11/29/95

AC No: 70-2E

Initiated by: ATP-240

1. PURPOSE.

The purpose of this Advisory Circular is to advise those persons proposing to construct, activate or deactivate a civil or joint-use (civil/military) airport or to alter the status or use of such an airport of the requirement to notify the Federal Aviation Administration (FAA) of their plans. It also outlines some of the airspace utilization factors that should be considered early in the planning stages.

2. CANCELLATION.

This cancels AC No. **70-2D**, dated August **1, 1979**.

3. WHY NOTICE IS REQUIRED.

Prior notice is required to assure conformity to plans and policies for, and allocations of, airspace by the FAA. The FAA, after receiving such notice, will advise as to the effects the proposed construction or alteration would have on the use of the navigable airspace by aircraft.

4. EFFECTIVE DATE. This advisory circular becomes effective **January 1, 1996**.

5. PENALTY.

Any person who fails to give proper notice shall be subject to a civil penalty.

6. DEFINITION OF TERMS.

a. Public use airport — an airport that is available for use by the general public without a requirement for prior approval of the owner or operator.

b. Private use airport — an airport that is available for use by the owner only or by the owner and other persons authorized by the owner.

c. Airport — any airport, heliport, helistop, vertiport, gliderport, seaplane base, ultralight flightpark, manned balloon launching facility, or other aircraft landing or takeoff area.

7. PROJECTS REQUIRING NOTICE.

Federal Aviation Regulations, Part 157, requires that a person who intends to do any of the following shall notify the Administrator:

a. Construct or otherwise establish a new airport or activate an airport.

b. Construct, realign, alter, or activate any **runway** or other aircraft landing or takeoff area of an airport.

c. Deactivate, discontinue using, or abandon an airport or any landing or takeoff area of an airport for a period of one year or more.

d. Construct, realign, alter, activate, deactivate, abandon or discontinue using a **taxiway** associated with a landing or takeoff area on a public-use airport.

e. **Change** the status of an airport from private use to public use or from public use to another status.

f. Change any traffic pattern or traffic pattern altitude or direction.

g. Change status from instrument flight rules (**IFR**) to visual flight rules (**VFR**) or VFR to IFR.

8. PROJECTS NOT REQUIRING NOTICE.

Notice requirements under Part 157 do not apply to a project involving:

a. An airport subject to conditions of a Federal agreement that requires an approved current airport layout plan to be filed with the FAA, or

b. An airport at which flight operations will be conducted under VFR and which is used or intended to be used for a period of less than 30 consecutive days with no more than 10 operations per day; or

c. The intermittent use of a site that is not an established airport, which is used or intended to be used for less than one year and at which flight operations will be conducted only under VFR. For the purposes of this part, intermittent use of a site means:

1. **The** site is used or is intended to be used for no more than **3** days in any one week; and

2. No more than 10 operations will be conducted in any one day at that site.

9. HOW TO SUBMIT NOTICE.

a. Notice shall be submitted on FAA Form **7480-1**, Notice of Landing Area Proposal, copies of which may be obtained from an FAA Airport District/Field Office or Regional Office, to one of those offices and shall be submitted at least:

1. in cases prescribed in (a) through (d) of paragraph 6 above, 90 days in advance of the day that work is to begin; or

2. in cases prescribed in (e) through (g) of paragraph 6 above, 90 days in advance of the planned implementation date.

b. Notwithstanding paragraph (a) of this **section**—

1. in an emergency involving essential public service, public health, or public safety or when the delay arising from the **90-day** advance notice requirement would result in an unreasonable hardship, a proponent may provide notice to the appropriate FAA Airport District/Field Office or Regional Office by telephone or other expeditious means as soon as practicable in lieu of submitting FAA Form 7480-1. However, the proponent shall provide full notice, through the submission of FAA Form **7480-1**, when otherwise requested or required by the FAA.

2. notice concerning the deactivation, discontinued use, or abandonment of an airport, an airport landing or takeoff area, or associated **taxiway** may be submitted by letter. Prior notice is not required; except that a **30-day** prior notice is required when an established instrument approach procedure is involved or with the affected property is subject to any agreement with the United States requiring that it be maintained and operated as a public-use airport.

c. The geographic area of jurisdiction for each FAA Regional Office and location of each Airports District/Field **Office** can be obtained from Advisory Circular **150/5000-3**, Address List for Regional Airports Divisions and Airports District/Field **Offices**. In addition, copies of FAA Form 7480-1 may be obtained from these offices. An example of the notice form and the instructions are shown in Appendix 1.

10. AIRSPACE UTILIZATION CONSIDERATIONS.

The FAA will conduct an aeronautical study to determine the effect of the airport proposal on the safe and efficient use of airspace by aircraft. Some of the factors considered in the study are:

a. Existing or contemplated traffic patterns of neighboring airports;

b. The effects the proposed action would have on the existing airspace structure and projected programs of the FAA, and

c. The effects that existing or proposed **manmade** objects (on file with the FAA) and natural objects within the affected area would have on the airport proposal.

11. COORDINATION WITH INTERESTED PERSONS.

As part of the aeronautical study, the FAA may consult with interested persons regarding the substance of the proposal. This coordination may be accomplished through interviews, conferences, informal airspace meetings, or through the distribution of circulars describing the proposal and offering a prescribed period of time within which the public may submit comments on the proposal.

12. DETERMINATIONS.

The purpose of an aeronautical study is to give advice to the proponent in the form of an FAA determination. These determinations will be issued in one of the following categories:

a. “No Objection” -will not adversely affect the safe and efficient use of airspace by aircraft.

b. “Conditional” — a conditional determination will identify the objectionable aspects of a project or action and specify the conditions which must be met and sustained to preclude an objectionable determination.

c. “Objectionable” — will adversely affect the safe and efficient use of airspace by aircraft (reasons for issuing such a determination will be given).

13. EFFECTIVE PERIOD OF DETERMINATION.

Except for an objectionable determination, each determination will contain a determination void date to facilitate efficient planning of the use of the navigable airspace. All work or action for which notice is required must be completed by the determination void date. Unless otherwise extended, revised, or terminated, an FAA determination becomes invalid on the day specified as the determination void date.

14. NOTICE OF COMPLETION.

The proponent of an airport proposal shall notify the appropriate FAA office by FAA Form 5010-5 or letter within 15 days after completion of the project.

15. PLANNING ASSISTANCE.

FAA **specialists** are available to provide assistance during **project planning** stages on the feasibility of a project from an airspace utilization standpoint. Prospective project sponsors are encouraged to take advantage of this service, particularly on new airport projects, before money is expended for acquisition of real property or for elaborate engineering plans. Such service is informal in nature and the proposal will not be circulated to the public for comments unless specifically requested by the proponent.



L. Lane Speck

Program Director for **Air Traffic** Rules and Procedures

16. STATE AND/OR LOCAL REPORTING REQUIREMENTS.

An FAA determination does not relieve the proponent of responsibility for compliance with any local law, ordinance or regulation, or state or other Federal regulation. Aeronautical studies and determinations will not consider environmental or land use compatibility impacts.

APPENDIX 1. SAMPLE NOTICE OF LANDING AREA PROPOSAL, FAA FORM 7480-1

Form Approved OMB No. 2120-0034

NOTICE OF LANDING AREA PROPOSAL									
Name of Proponent, Individual or Organization Alice P. Smith					Address of Proponent, Individual or Organization <i>(No.. Street, City, State, Zip Code)</i> 123 J. Street, NW Anytown, New York 20031				
<input type="checkbox"/> Check if the property owner's name and address are different than above, and list property owner's name and address on the reverse .									
<input checked="" type="checkbox"/> Establishment or Activation <input type="checkbox"/> Deactivation or Abandonment } OF <input checked="" type="checkbox"/> Airport <input type="checkbox"/> Ultralight Flightpark <input type="checkbox"/> Vertiport <input type="checkbox"/> Alteration <input type="checkbox"/> Change of Status } <input type="checkbox"/> Heliport <input type="checkbox"/> Seaplane Base <input type="checkbox"/> Other (Specify) _____									
A. Location of Landing Area									
1. Associated City/State Lawton			2. County/State <i>(Physical Location of Airport)</i> Exeter, New York			3. Distance and Direction From Associated City or Town			
4. Name of Landing Area Becker Field			5. Latitude 38° 49' 30"		6. Longitude 76° 57' 15"		7. Elevation 1300'		8. Miles 5
9. Direction NW									
B. Purpose									
Type Use <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private <input type="checkbox"/> Private Use of Public Land/Waters			If Change of Status or Alteration, Describe Change 				<input type="checkbox"/> Establishment or change to traffic pattern (Describe on reverse)		
							Construction Dates To Begin/Began Est. Completion 4/94 7/94		
C. Other Landing Areas			Ref. A5		above		D. Landing Area Data		
			Direction From landing Area		Distance From Landing Area		Existing (if any) Proposed		
Miller Field			200		10		1. Magnetic Bearing of Runway(s) or Sealane(s) Length of Runway(s) or Sealane(s) in Feet Width of Runway(s) or Sealane(s) in Feet Type of Runway Surface (Concrete, Asphalt, Turf, Etc.)		
E. Obstructions			Direction From Landing Area		Distance From Landing Area		2. Dimensions of Final Approach and Take off Area (FATO) in Feet		
							Dimensions of Touchdown and Lift-Off Area (TLOF) in Feet		
Type			Height Above Landing Area		Direction From Landing Area		3. Magnetic Direction of Ingress/Egress Routes Type of Surface (Turf, concrete, rooftop, etc.)		
Trees			25'		NW		1		
3. Other Considerations			Direction From landing Area		Distance From Landing Area		4. Operational Data 1. Estimated or Actual Number Based Aircraft		
Identification							2. Average Number Monthly Landings		
School			W		3		3. Are IFR Procedures For The Airport Anticipated <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Within _____ Years Type Navaid:		
							H. Application for Airport Licensing <input type="checkbox"/> Has Been Made <input type="checkbox"/> Not Required <input type="checkbox"/> County <input type="checkbox"/> Will Be <input checked="" type="checkbox"/> <input type="checkbox"/> Municipal Authority		
I. CERTIFICATION: I hereby certify that all of the above statements made by me are true and complete to the best of my knowledge.									
Name, title (and address if different than above) of person filing this notice—type or print Alice P. Smith					Signature (in ink) Date of Signature 3/2/94				
					Telephone No. (Precede with area code) 202-555-1212				

Appendix 1

Agency Display Of Estimated Burden For Notice of Landing Area Proposal

The public report burden for this collection of information is estimated to average 45 minutes per response.

If you wish to comment on the accuracy of the estimate or make suggestions for reducing this burden, please direct your comments to OMB and the FAA at the following addresses:

Office of Management and Budget
Paperwork Reduction Project 2120-0036
Washington, D.C. 20503

— and —

U.S. Department of Transportation, Federal Aviation Administration
Aircraft and Obstruction Evaluation Branch, ATP-240
800 Independence Avenue, S.W.
Washington, D.C. 20591



U.S. Department of Transportation
Federal Aviation Administration

INSTRUCTIONS NOTICE OF LANDING AREA PROPOSAL

(Use Back of This Sheet as Worksheet)

As Used Herein, The Term "Airport" Means

Any Landing or Takeoff Area such as Airport, Heliport, Helistop, Vertiport, Gliderport, Seaplane Base, Ultralight Flightpark, or Balloonport. Federal Aviation Regulations Part 157 requires all persons to notify this FAA at least 90 days before any construction, reconstruction, deactivation, or change to the status or use of a civil or joint-use (civil/military) airport. Notice is not required for the establishment of a temporary airport at which operations will be conducted under visual flight rules (VFR) and will be used for less than 30 days with no more than 10 operations per day. Notice also is not required for the intermittent use of a site that is not an established airport, which is used for less than one year and at which flight operations will be conducted only under VFR. Intermittent use means the use of the site for no more than 3 days in any one week and for no more than 10 operations per day.

Required notice shall be submitted on this form from each person who intends to do any of the following:

1. Construct or otherwise establish a new airport or activate an airport.
2. Construct, realign, alter, or activate any runway, or other aircraft landing or takeoff area of an airport.
3. Construct, realign, alter, or activate a taxiway associated with a landing or takeoff area on a public-use airport.
4. Deactivate, discontinue using, or abandon an airport or any landing or takeoff area of an airport for a period of one year or more.
5. Deactivate, abandon, or discontinue using a taxiway associated with a landing or takeoff area on a public-use airport.
6. Change the status of an airport from private use (use by the owner or use by the owner and other persons authorized by the owner) to an airport open to the public or from public-use to another status.
7. Change status from IFR to VFR or VFR to IFR.
8. Establish or change any traffic pattern or traffic pattern altitude or direction.

The notice required shall be made by submitting this form to the nearest Federal Aviation Administration Regional Office or Airports District Office. However, in an emergency involving essential public service or when the delay arising from the 90-day advance notice requirement would result in an unreasonable hardship, you may provide notice to the appropriate FAA Airports District/Field Office by telephone in lieu of submitting this form. The FAA may require the subsequent submission of this form when necessary for safety or other reasons.

Section 901 of the Federal Aviation Act of 1958, as amended, provides that any person who violates a rule, regulation or order issued under Title III of this Act shall be subject to a civil penalty not to exceed \$1,000 for each violation.

GENERAL INSTRUCTIONS

1. For any project falling in categories 1, or 2 above, complete all appropriate sections.
2. For any project falling in categories 3, 4, or 5 above, complete sections A, B, D (if appropriate), and I.
3. For status change (categories 6 or 7 above), from private use to public use or from VFR to IFR, complete sections A, B, E, G, and I. For all other changes complete sections A, B, and I.
4. For traffic pattern establishment or change (category 8), complete all appropriate sections. Traffic pattern description should be entered on the reverse side of FAA Form 7483-1.
5. Express all bearings as magnetic and mileages as nautical.
6. Please Print or Type All Items.

Section A — Identity Reference Datum of Coordinates (NAD 83 of NAD 27).

Section B — If the airport is to be used by the owner only, or by the owner and persons authorized by the owner, check "private". If the landing and takeoff area of the airport is publicly owned and the operator is a non-government entity, then check "private use of public lands". If the airport is to be available for use by the general public without a requirement

for prior approval of the owner or operator, then check "public". If necessary, use the reverse side of this form or a separate sheet of paper to describe changes or alterations.

Section C — Airport or seaplane base. List VFR airports and heliports within 5NM, and IFR airports within 20NM. Heliports: List VFR heliports and IFR heliports within 3NM and IFR heliports within 10NM.

Section D — Attach U.S. Geological Survey quadrangle map or equivalent. Plot locations of facility to the nearest second, runway alignments, associated taxiways or sealane alignments. When appropriate, use city map for heliports.

Section E — List and plot on quadrangle map or equivalent any obstructions within: 3 NM of a VFR airport or a seaplane base; 5 NM of an IFR airport; or 5,000 feet of a heliport.

Section F — Self-explanatory.

Section G — List schools, churches and residential communities within a 2NM radius for airports and within a 1NM radius for heliports. List all waste disposal sites within a 5 NM radius.

Section H — Self-explanatory.

NOTE: Additional copies of FAA Form 7480-1 may be obtained from the nearest FAA Airports District Office or Regional Office.

Notification to the FAA does not waive the requirements of any other government agency.

ADDRESSES OF THE REGIONAL OFFICES

Western Pacific Region

AZ, CA, HI, NV, GU

Western-Pacific Regional Office
Airports Division, AWP-600
15000 Aviation Boulevard
Hawthorne, CA 90261

Mail Address:
P.O. Box 92007
Worldway Postal Center
Los Angeles, CA 90009
Tel. 310-297-1240 Fax: 310-297-0490

Alaskan Region

AK

Alaskan Regional Office
Airports Division, AAL-600
222 West 7th Avenue, Box 14
Anchorage, AK 99513
Tel. 907-271-5438 Fax: 907-271-2851

Eastern Region

DC, DE, MD, NJ, NY, PA, VA, WV

Eastern Regional Office
Airports Division, AEA-600
JFK International Airport
Fitzgerald Federal Building
Jamaica, NY 11430
Tel. 718-551-3341 Fax: 718-995-9219

Southern Region

AL, FL, GA, KY, MS, NC, SC, TN, PR, VI

Southern Regional Office
Airports Division, ASO-600
1710 Columbia Ave.
College Park, GA 30337

Mail Address:
P.O. Box 20636
Atlanta, GA 30320
Tel. 404-305-6700 Fax: 404-305-6730

Northwest Mountain Region

CO, ID, MT, OR, UT, WA, WY

Northwest Mountain Reg. Office
Airports Division, ANM 1-600
1601 Lind Ave., S.W., Suite 540
Renton, WA 98055-4056
Tel. 206-227-2600 Fax: 206-227-1600

Great Lakes Region

IL, IN, MI, MN, ND, OH, SD, WI

Great Lakes Regional Office
Airports Division, AGL-600
2300 East Devon Avenue
Des Plaines, IL 60018
Tel. 312-874-7272 Fax: 312-874-7036

Southwest Region

AR, LA, NM, OK, TX

Southwest Regional Office
Airports Division, ASW-600
2601 Meachum Blvd.
Fort Worth, TX 76137-4298

Mail Address:
Federal Aviation Administration
Fort Worth, TX 76193-0600
Tel. 817-222-5600 Fax: 817-222-5984

Central Region

IA, KS, MO; NE

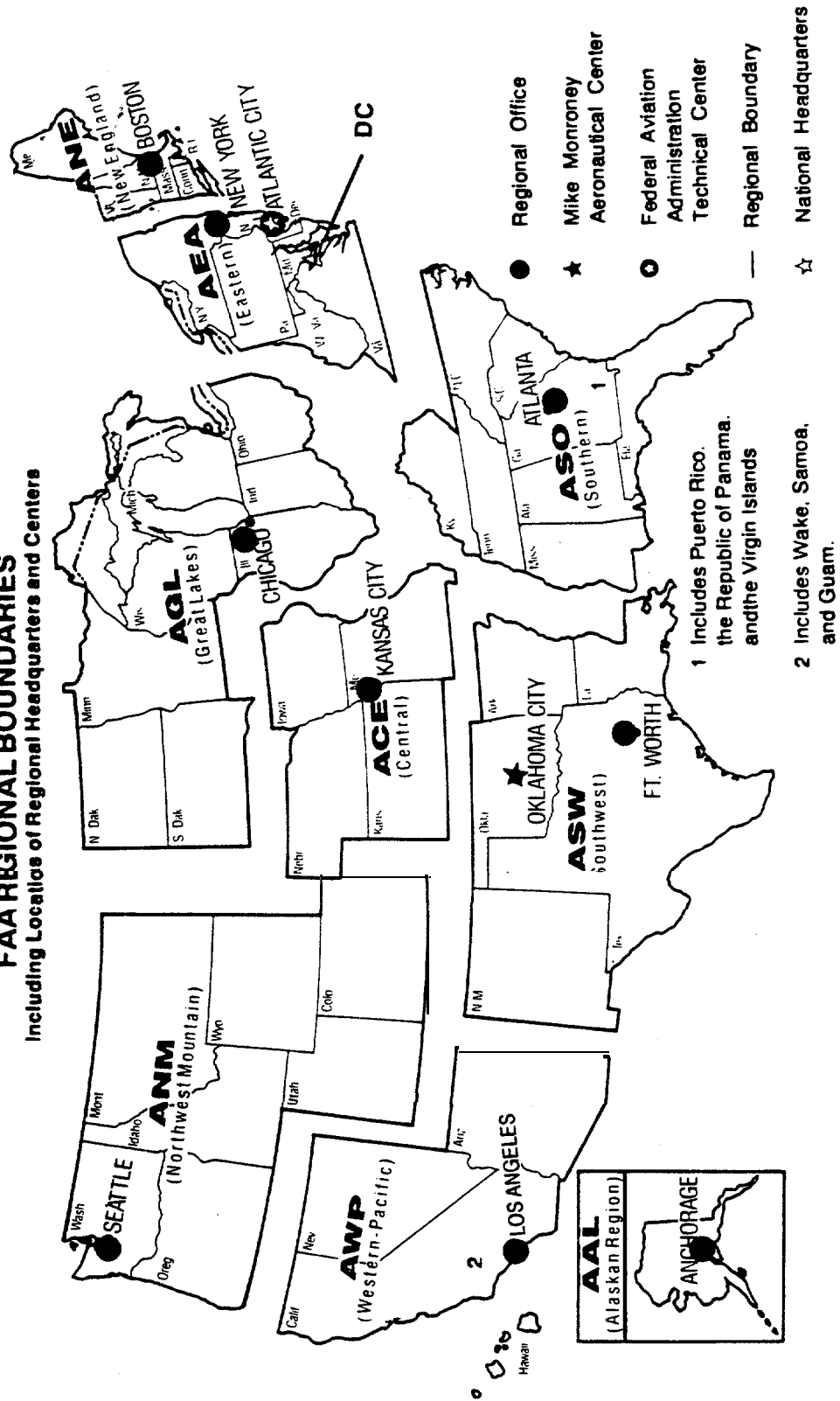
Central Regional Office
Airports Division, ACE-803
601 East 12th Street
Kansas City, MO 64106
Tel. 816-426-5278 Fax: 816-426-3265

New England Region

CT, MA, ME, NH, RI, VT

New England Regional Office
Airports Division, ANE-600
12 New England Executive Park
Burlington, MA 01803
Tel. 617-273-7044 Fax: 617-273-7049

U.S. DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration
FAA REGIONAL BOUNDARIES
 Including Locales of Regional Headquarters and Centers



1

2

3

4

5

6

U.S. Department
of Transportation
**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, D.C. 20591

**FORWARDING AND RETURN
POSTAGE GUARANTEED**

Official Business
Penalty for Private Use \$300

BULK MAIL
POSTAGE & FEES PAID
FEDERAL AVIATION
ADMINISTRATION
PERMIT NO. G-44